

CITY COUNCIL CITY OF LODI
COUNCIL CHAMBERS, CITY HALL
MARCH 18, 1953

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 o'clock p.m. of March 18, 1953. Councilmen Preszler, Richey, Rinn, Robinson and Haskell (Mayor) present; absent, none.

Minutes of the previous meeting, March 4, 1953, were approved as written and mailed.

The following representatives of the City Employees Association attending the meeting were introduced to the City Council: Robert McLane, Paul McClure and Robert Campbell.

COMMUNICATIONS

GARDEN CLUB RE TREES	Letter from the Lodi Garden Club placing itself on record in opposition to the unnecessary destruction of trees. No action was taken since it was agreed that the City Council was in agreement with the sentiments expressed in the letter.
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PROPOSED S.P.CO. PARKING LOT	Letter from the Southern Pacific Company acknowledging the receipt of the letter from the City Manager regarding the lease of Southern Pacific Company property on Sacramento Street between Pine Street and Elm Street for off-street parking. The letter stated that the Tidewater Associated Oil Company and the Union Oil Company, both holding leases on the property at the present time, had been contacted regarding the proposal, and answers from them had not been received. The S. P. Company promised to keep the City Manager advised of the developments in the matter.
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USE OF STADIUM BY MOTORCYCLE CLUB	Letter from Ed Crawford, Assembly Chamber, Carson City, Nevada, stating his understanding that the Lodi Motorcycle Club will not hold its annual motorcycle race in the Lodi Stadium this summer because the rent of the Stadium is too high. He further protested the "freezing-out" of the Lodi Motorcycle Club. Mr. Weller stated that he could not explain what had given rise to the letter, particularly in light of the past concessions given to the Motorcycle Club. The Club has never shown a loss in holding its event. He added that the City Council had lowered the head tax from ten cents to five cents during the summer months as an inducement to users. Mayor Haskell stated that he had talked to Ezra Ehrhardt of the Motorcycle Club, who did not complain about the head tax, but seemed more concerned about the arrangement with the concessionaire. He further stated that he felt that the letter from Mr. Crawford was unfair to the Council and should be answered to that effect, and that any action which the Council might want to take should be worked out with the local group. It was agreed that the letter should be answered and the matter placed on some future agenda for complete discussion.
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PUBLIC HEARINGS

EXTENSION OF CHESTNUT ST.	Mr. Harry Asay, 524 W. Lodi Avenue, addressed the City Council to inquire what steps will be necessary to bring the matter of the extension of Chestnut Street west from Hutchins Street before that body. Mr. Asay indicated that he would be reluctant to pass a petition for the
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opening unless the question of the site for the street was finally determined. Mr. Asay was instructed that he could see the City Clerk regarding the preparation of the petition to form a special assessment district, and questions involving the street location should be referred to the City Planning Commission.

REPORTS OF THE CITY MANAGER

LEGION PICNIC	The City Manager reminded the members of the Council of the invitation to attend the picnic sponsored by the Lodi Post No. 22 of the American Legion on May 2 and 3.
LOS BANOS MAY DAY CELEBRATION	The City Manager reminded the City Council of the invitation from the City of Los Banos to attend the Civic, Historical and Floral Parade on Sunday, May 3, 1953.
SB 733 AND 734	The request from the California Roadside Council that the City Council go on record as opposing State Senate Bills 733 and 734 was tabled with the understanding that the Council would watch progress of the bills.
GRIFFIN AND MILLER LEASE	The question of extending the lease of Griffin and Miller for the 80-foot strip belonging to the City east of 99 Highway, held over from the March 4 meeting, was brought up for discussion. Councilman Robinson stated that if the City was not covered by liability insurance, the firm should be required to remove the stacks of lumber. It was agreed that the City should take the necessary steps to protect itself from public liability. Councilman Rinn suggested that the City could require the firm to take out insurance for public liability and property damage and furnish the City with a certificate. The Council then voted to instruct the City Attorney to examine the lease with respect to the City's responsibility for public liability and to notify Griffin and Miller that in the future the lease would be on a month to month basis.
SUPER MOLD	Mr. Weller reminded the members of the Council of the informal meeting scheduled for the evening of March 25 to discuss the matter of the noise created by the operations of the Super Mold Corporation.
STREET TREE REMOVAL PROGRAM	Councilman Robinson opened the discussion of the street tree problem by recalling that at the conclusion of the meeting with Mr. Christman of the Davey Tree Surgeons, Mayor Haskell had suggested that the trees in the worst condition should first be selected for removal and then the property owners involved should be notified and invited to come before the Council to discuss the situation. Councilman Rinn then pointed out that there would be no point in taking this action until the Council decided what it was going to do about the sidewalks, curbs and gutters, and the streets. It was then agreed that the property owner would be held responsible for the repair and replacement of the sidewalk while the costs of replacing the curbs and gutters, streets, and the pruning and replacement of trees would be borne by the City. Councilman Rinn suggested that the property owner be notified as to the intended location for the replanted tree. Mayor Haskell stated that he believed the worst conditions should be corrected first, and that the notice should be sent to the property

ONE YEAR
PROGRAM

owners involved to attend a meeting with the City Council in order that the Council might explain its program. It was agreed that the City Engineer should be instructed to prepare a program for the first year for submission to the Council after which the property owners would be notified. Councilman Robinson then suggested that a City employee be trained in detection and correction of street tree problems in order that it will be possible to correct our tree problems on a continuing basis without seeking outside consultants. The Council then reiterated its policy of the property owners' responsibility for the repair of the sidewalk. Councilman Robinson stated that it should be understood by all that the City Council does not intend to promiscuously remove trees in the City.

BLAKELY PARK
REST ROOM
PLANS

The City Manager presented the preliminary drawings for the proposed rest rooms to be located in Blakely Park in the Lodi Barnhardt Tract. Mr. Van Buskirk, Chairman of the Recreation Commission, was questioned as to the location of the rest rooms within the park. Mr. Van Buskirk explained that the Recreation Commission was reluctant to designate the exact location for fear that such action might commit the City to pay fees for the plans designed by Mason Witney. Mr. Weller pointed out that it was his understanding that Mason Witney was retained by the Recreation Commission to survey the City for the purpose of determining its recreational needs and suggesting the general locations for needed recreational facilities. His fee for this service was \$350, but this did not include any provisions for designing park sites, and the City is under no obligation to pay for such plans. At the suggestion of Councilman Rinn, the Council agreed to withhold a decision relative to the location of the rest rooms until the City Manager, City Attorney, Mr. Van Buskirk, and Mr. DeBenedetti had an opportunity to discuss the matter and determine the City's position. On the motion of Councilman Rinn, Preszler second, the Council then voted to approve the tentative plans for the rest rooms and submit them to the City Engineer for final preparation and submission of bids.

SPECIFI-
CATIONS
FOR
CONCRETE
PIPE

Mr. Weller submitted specifications prepared by the City Engineer for concrete pipe to be used for sanitary and storm sewers in the following subdivisions:

Lawrence Ranch	Costa Tract
Vinewood Tract	Kirst Estate
Rieck Tract #2	Preszler Tract

The specifications were approved and bids called for on the motion of Councilman Robinson, Richey second.

CLAIMS

Claims in the amount of \$11,962.38 were approved and ordered paid on the motion of Councilman Preszler, Richey second.

SCOUT
CENTER
LEASE

The Council then approved the lease with the Scout Center, Inc., for the old bath house in Hale Park. The lease is for a 20-year period commencing January 1, 1953, at \$1.00 per year; the title of the property is to remain with the City. The approved motion was made by Councilman Robinson, the second by Richey.

GAS TAX
FUNDS
RES.#1731
ADOPTED

Mr. Weller submitted the First Supplemental Memorandum of Agreement for expenditure of gasoline tax allocation on major city streets in the City of Lodi for approval. On the motion of Councilman Rinn, Richey second, the Council adopted Resolution No. 1731 approving the agreement and authorizing the Mayor and the City Clerk to sign on behalf of the City.

WITHDRAWAL
OF
APPLICATION
FOR CHAP.47
FUNDSRES. #1728
RES. #1729
RES. #1730
ADOPTED

Mr. Weller explained that the City has \$10,922.29 in funds available for allocation under Chapter 47, Statutes of 1944--Postwar Plan and Acquisition Aid Act. Of this amount the City has previously made application for: \$2,836.97 for plans for the Main Drain and Outfall Line, \$739.93 for plans for the Liquid Waste Disposal Works, and \$154.76 for plans for the Sacramento Street Industrial Waste Drain. The plans for the above projects were prepared by the City staff and consequently the City has been unable to substantiate information which is acceptable to the Director of Finance. In light of the fact that plans are now being prepared for the Hall of Justice and for the expansion of the Sewage Disposal Plant, he believed that the City could use most of the available funds for defraying the costs of these plans. He therefore recommended the withdrawal of the pending applications in order that the funds applied for could be released for other projects. On the motion of Councilman Preszler, Richey second, the Council adopted Resolution No. 1728 withdrawing the application for \$2,836.97 for the Main Drain and Outfall Line. Resolution No. 1729, withdrawing the application for \$154.76 for the Sacramento Street Industrial Waste Drain, was adopted on the motion of Councilman Robinson, Preszler second. Resolution No. 1730, withdrawing the application for \$739.93 for the Liquid Waste Disposal Works, was adopted on the motion of Councilman Richey, Rinn second.

APPOINTMENT
OF LOUIS
FARNSWORTH
AS C. D.
EXECUTIVE
COORDI-
NATOR

The City Manager then announced the appointment of Mr. Louis Farnsworth as the Executive Coordinator for Civil Defense for the City of Lodi. He explained that Mr. Farnsworth will handle the Civil Defense correspondence for the City and represent the City of Lodi in Civil Defense matters with the County and the State. In the event of an emergency the Mayor would direct the operations and Mr. Farnsworth would serve on the staff.

GRADUATION
EXERCISES
AT LAW
ENFORCE-
MENT SCH.

Mr. Weller announced that the graduating exercises of the Law enforcement school at St. Mary's College would be held at the college on March 21, 1953, and stated that he believed that the attendance of those councilmen able to do so would be appreciated by the Police Department.

CITY PLANNING COMMISSION

PARK SITE
OFFERED BY
M. F. AYERS

The City Manager submitted sketches of the M.F. Ayers property north of Lake Street and west of Ham Lane showing the plans for street extension in Mr. Ayer's proposed subdivision. The street plan calls for the southeasterly extension of Holly Drive to its intersection with Ham Lane, and the turning of Lake Street northerly into Holly Drive west of the Ham Lane intersection. This will involve the abandonment of Lake Street just east of Pacific Avenue. The implementation of this plan will create a wedge-shaped piece of land including part of the Ayers property and that portion of Lake Street which would be abandoned. Mr. Ayers explained to the City Council that this piece of property would be difficult to develop for residential lots and therefore he would be willing to offer this piece of land to the City as a park site if the City would put in the street improvements. It was reported that the Recreation Commission had considered this proposal and had determined that this piece of land would be too small to justify the expenditure of the necessary \$6000 or \$7000 to improve it for recreational use as a tot lot. Councilman Robinson stated that he was generally in favor of acquiring property for parks where necessary, but that he recognized that the costs of such parks must also be given consideration. He did, however, favor the acceptance of the land offered in this instance. It was suggested that perhaps the City could acquire additional property to the south of the Ayers property which, when added to the Ayers' piece, would be sufficient for the park. Councilman Rinn moved that, in view of the fact that the Council has no recommendation to accept the land and there are no apparent plans for such a park, the City Council inform Mr. Ayers that the City has no interest in the area, thus giving Mr. Ayers freedom to make other arrangements for its development. Following the second by Councilman Richey, the motion was carried by the following vote:

AYES: Councilmen, Preszler, Rinn, Richey and Haskell

NOES: Councilman, Robinson ABSENT: None

REZONING
LOT 20
KESSEL
SUB. #2

A recommendation from the Planning Commission that the City Council give favorable consideration to the request of the Johnson Construction Company for the rezoning of Lot 20 and a portion of Lot 19 of Kessel Subdivision No. 2 from the R-2 Residential District to the R-4 Residential District. Public hearing on the matter was set for April 1, 1953, on the motion of Councilman Robinson, Rinn second.

FINAL MAP
RIECK TRACT
NO. 2

A final map entitled "Rieck Tract No. 2", certified by the City Engineer as substantially complying with the tentative map approved by the City Planning Commission on February 6, 1953, was approved for recordation and the streets and easements therein accepted as City streets on the motion of Councilman Richey. This acceptance is subject to improvement of the streets to City standards before they will be maintained by the City. Mayor Haskell then signed the map.

ORD. NO. 470
ADOPTED

VACATION OF
ALLEY IN
BLOCK 6
CITY OF
LODI

ORDINANCE NO. 470, DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF LODI TO VACATE THAT PORTION OF THE ALLEY LYING BETWEEN LOTS 2 AND 3, BLOCK 6, OF THE CITY OF LODI, having been introduced at the regular meeting of March 4, 1953, was brought up for passage on the motion of Councilman Rinn, Richey second. Second reading was omitted by unanimous consent, after reading by title, and was then passed, adopted, and ordered to print by the following vote:

AYES: Councilmen, Preszler, Richey, Rinn,
Robinson and Haskell
NOES: Councilmen, None
ABSENT: Councilmen, None

Mayor Haskell then signed Ordinance No. 470 in approval thereof.
Public hearing was set for April 15, 1953.

LOCAL
SALES TAX
LEGISLATION

Mayor Haskell then reported on the meeting called by the League of California Cities in Sacramento, March 12, for the purpose of reviewing bills which have been introduced in the Legislature relating to local sales taxes. He reported that the discussion was primarily centered on Senate Bills 1344 and 1575, both of which relate to authorizing counties to levy a sales tax. In a vote to indicate the personal views of the people attending the meeting, the majority indicated that they favored the passage of the bills with the amendment that the entire one cent levied in the cities would be retained by the cities.

JOINT MEET-
ING WITH
C.P.C. SET

Mayor Haskell also reported that he had been contacted by the Chairman of the Planning Commission with the request for a joint meeting of the two bodies. The Planning Commission desired the meeting for the purpose of reaching a better understanding of the role of the Planning Commission. It was agreed that such a meeting would be desirable and the evening of March 30, 1953, at 7:30 p.m. was set for the informal meeting of the two bodies.

INVESTI-
GATION OF
BUILDING

Mayor Haskell then requested the City Manager to investigate the status and use of the house on the northwest corner of Church and Elm streets. The Mayor indicated that he was specifically interested in knowing whether this house met the standards for public health and safety.

The meeting was adjourned at 11:00 p.m. on the motion of Councilman Robinson.

ATTEST:

Henry A. Glaves, Jr.
HENRY A. GLAVES, JR.
City Clerk